
SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE
REGISTRATION AND REGULATION OF TRANSIENT VACATION UNIT
OWNERS AS "PROFESSIONAL GUEST HOUSE OPERATORS".

1 WHEREAS, S.B. No. 960, introduced during the Regular
2 Session of 2019, proposes the registration and regulation of
3 transient vacation units; and
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5 WHEREAS, transient vacation units are increasingly located
6 in residential areas, often in violation of zoning laws and in
7 conflict with residential neighbors; and
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9 WHEREAS, there has been a proliferation of single family
10 dwellings being offered for short-term vacation rentals by
11 owners who frequently do not live on-site, and do not have
12 employees on-site during the guest's stay; and
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14 WHEREAS, these residential guests' houses are not currently
15 identified and obligated to meet health, safety, and operational
16 standards and laws generally applicable to places of public
17 accommodation; and
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19 WHEREAS, guests paying for such short term vacation rentals
20 have an expectation of minimum safety and health standards and
21 it is in the best interest of the State that such standards be
22 applied and met, given the State's economic reliance on tourism;
23 and
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25 WHEREAS, enforcement actions against illegal transient
26 vacation unit operators have proven difficult for county
27 planning departments and the Department of Taxation, due to
28 difficulty in identifying the properties being used as transient
29 vacation units; and
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1 WHEREAS, Act 204, Session Laws of Hawaii 2015, amended
2 section 237D-4, Hawaii Revised Statutes, to formalize the
3 requirement that advertisements for transient accommodations
4 must conspicuously provide the registration identification
5 number of the operator or plan manager, but provided no
6 definition of "registration identification number"; and
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8 WHEREAS, the counties each license and regulate transient
9 vacation units with different processes and registration
10 numbers; and
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12 WHEREAS, various transient accommodation operators and plan
13 managers manage multiple properties throughout the State; and
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15 WHEREAS, the Department of Commerce and Consumer Affairs is
16 charged with registering and licensing professions and makes
17 this information publicly available and generally searchable
18 online; and
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20 WHEREAS, a centralized and publicly searchable database of
21 transient vacation units, including addresses, unit numbers, and
22 tax map numbers would help identify properly registered
23 transient vacation units; and
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25 WHEREAS, section 26H-6, Hawaii Revised Statutes, requires
26 new measures, subjecting unregulated professions and vocations
27 to licensing or other regulatory controls, to be referred to the
28 Auditor for analysis; now, therefore,
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30 BE IT RESOLVED by the Senate of the Thirtieth Legislature
31 of the State of Hawaii, Regular Session of 2019, the House of
32 Representatives concurring, that the Auditor is requested to
33 conduct a sunrise review of the registration and regulation of
34 transient vacation rental owners who should be evaluated as
35 "professional guest house operators", as proposed by S.B. No.
36 960, Regular Session of 2019; and
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38 BE IT FURTHER RESOLVED that the Auditor is further
39 requested to submit findings and recommendations, including any
40 proposed legislation, to the Legislature no later than twenty
41 days prior to the convening of the Regular Session of 2020; and
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- 1 BE IT FURTHER RESOLVED that a certified copy of this
- 2 Concurrent Resolution be transmitted to the Auditor.

